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E-filed: October 31, 2016.

Counsel for Christian and Anna Carla Lopez

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re: ALAN DAVID TIKAL,

Debtor.

Bankruptcy No. 11-23486-LED

Chapter 7

CHRISTIAN LOPEZ & ANNA CARLA
LOPEZ,

Plaintiffs,

vs.

ALAN DAVID TIKAL, also known as
DAVID ALAN TIKAL, individually and as
Trustee of KATN REVOCABLE LIVING
TRUST; VICTORIA NELSON, solely in
her official capacity as Chapter 7 Trustee,

Defendants.

Adv. Pro. No. 16-01045-LED

**DECLARATION OF ANNA
CARLA LOPEZ IN SUPPORT OF
APPLICATION FOR DEFAULT
JUDGMENT AGAINST
DEFENDANTS ALAN DAVID
TIKAL AND VICTORIA NELSON**

**Hearing Date: December 5, 2016
Hearing Time: 1:30 p.m.**

I, Anna Carla Lopez, declare as follows:

1. I am a Plaintiff in this action. I make this Declaration in support of the accompanying Application for Entry of Default Judgement Against Defendants Alan David Tikal, also known as David Alan Tikal, individually and as Trustee of the KATN Revocable Living Trust ("Defendant Tikal"), and Victoria Nelson, solely in here official capacity as Chapter 7 Trustee ("Defendant Nelson"). Unless otherwise stated, I have personal knowledge of the matters set forth herein, and could and would competently testify to them if called as a witness.

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2. I reside, with my spouse, Christian Lopez, in a home I own at 4132 Descanso Avenue, Chino Hills, County of San Bernardino, California ("Property"). The true and correct legal description of the Property is: ALL THAT REAL PROPERTY SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS: LOT 19, TRACT NO. 1932, AS PER MAP RECORDED IN BOOK 30 OF MISCELLANEOUS MAPS, PAGES 1 TO 5 INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, COVENANTS, OIL, GAS OR MINERAL RIGHTS OF RECORD, IF ANY. APN: 1028-041-19-0-000.


3. I am informed and believe that Defendant Tikal purports to be a beneficiary under a Short Form Deed of Trust and Assignment of Rents (Individual) against the Property dated December 4, 2010 and recorded in San Bernardino County, California on or about December 9, 2010 ("Tikal DOT"), and a Note Secured by Deed of Trust (Straight Note) dated December 4, 2010 allegedly supporting the Tikal DOT ("Tikal Note"). A true and correct copy of the Tikal Note is attached to the Application for Default Judgment, filed concurrently, as Exhibit A and is incorporated herein by reference. A true and correct copy of the Tikal DOT is attached to the Application for Default Judgment, filed concurrently, as Exhibit B and is incorporated herein by reference.

4. In August 2010, Plaintiffs contacted Defendant Tikal, who claimed to be able to obtain "second chance" loan modifications.

5. In September 2010, Plaintiffs attended a large meeting put on by Defendant Tikal at a hotel ballroom attended by homeowners, real estate agents and other. Defendant Tikal again claimed an ability to obtain loan modifications even when prior modifications had failed.

6. In December 2010, Defendant Tikal and his agent, Ray Kornfield ("Kornfield") instructed Plaintiffs falsely and fraudulently to sign a Deed of Trust and a Note that would replace the current mortgage. Kornfield instructed Plaintiffs to pay the sum of \$5,000.00 to Caring About America to begin the process of working with current lender Bank of America to complete a loan modification.

Dated this 26th day of October, 2016.


Anna Carla Lopez

CERTIFICATE OF SERVICE

I am employed by the law firm of Greene Infuso, LLP in Clark County. I am over the age of 18 and not a party to this action. My business address is 3030 South Jones Boulevard, Suite 101, Las Vegas, Nevada 89146.

On October 31, 2016 I served the document(s), described as: DECLARATION OF ANNA CARLA LOPEZ IN SUPPORT OF APPLICATION FOR DEFAULT JUDGMENT AGAINST DEFENDANTS ALAN DAVID TIKAL AND VICTORIA NELSON

☒ by placing the ☐ original ☒ a true copy thereof enclosed in a sealed envelope addressed as follows:

☐ a. ECF System (*You must attach the "Notice of Electronic Filing", or list all persons and addresses and attach additional paper if necessary*)

☒ b. BY U.S. MAIL. I deposited such envelope in the mail at Las Vegas, Nevada. The envelope(s) were mailed with postage thereon fully prepaid.

Alan David Tikal
c/o Ray Kornfield
8121 Caramel Gorge Court
Las Vegas, Nevada 89143

Alan David Tikal
c/o Ray Kornfield
FCI
13777 Air Expressway Blvd.
Victorville, CA 92394

Victoria Nelson
3900 Paradise Road. Suite U
Las Vegas, Nevada 89169

United States Trustee
300 Las Vegas Blvd. South
Fourth Floor
Las Vegas, Nevada 89101

I am readily familiar with Greene Infuso, LLP practice of collection and processing correspondence for mailing. Under that practice, documents are deposited with the U.S.

Postal Service on the same day which is stated in the proof of service, with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date stated in this proof of service.

- ☐ c. BY PERSONAL SERVICE.
- ☐ d. BY DIRECT EMAIL
- ☐ e. BY FACSIMILE TRANSMISSION

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 31st day of October, 2016

/s/ K. Farney

An employee of Greene Infuso, LLP

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